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Total Pages (including cover): 11

Subject: Agenda and Claims

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## Stainer network with continuous workflow

Interview with Examiner



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# Agenda

- Overview of Claimed System and Method
- Differences in References



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## Revised Claims



- (New) A method for performing operations on a first stainer in a stainer network comprising:
  - establishing a network connection between a first computer and a first stainer in the stainer network;
  - sending commands from the first computer to the first stainer over the network connection;
  - processing a first sample with the first stainer using the commands received from the first computer, wherein said processing comprises dispensing reagents with a robotic head; and
  - inserting at least one reagent or a second sample into the first stainer without interrupting the processing of the first sample.

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## Revised Claims

- (New) A method for performing operations on a first stainer in a stainer network comprising:

establishing a network connection between a first computer and a first stainer in the stainer network;

sending commands from the first computer to the first stainer over the network connection;

sending queries from a laboratory information system connected to the network to a database, wherein the database contains status information chosen from slides on the first stainer, amounts of consumables on the first stainer or treatment protocols performed on the first stainer;

processing a first sample with the first stainer using the commands received from the first computer, wherein said processing comprises dispensing reagents with a robotic head; and

inserting at least one reagent or a second sample into the first stainer without interrupting the processing of the first sample.

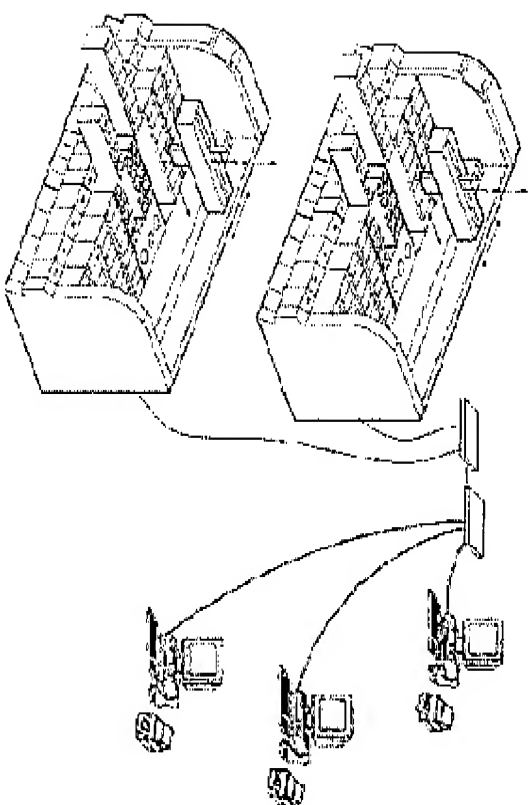
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# Continuous Workflow Stainer Network vs. Batch Mode Stainers Cited

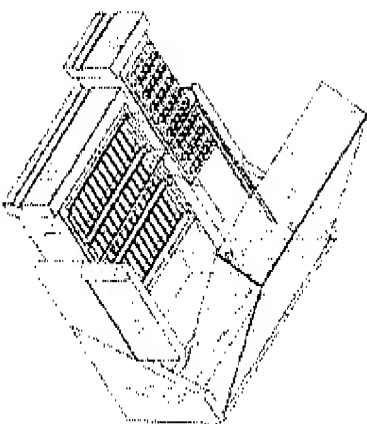


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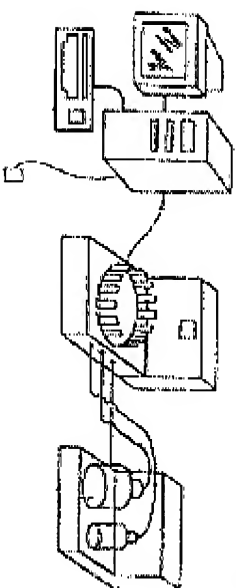
**Applicant – continuous staining network**



**Tseung – batch staining**



**Lemme – batch staining**



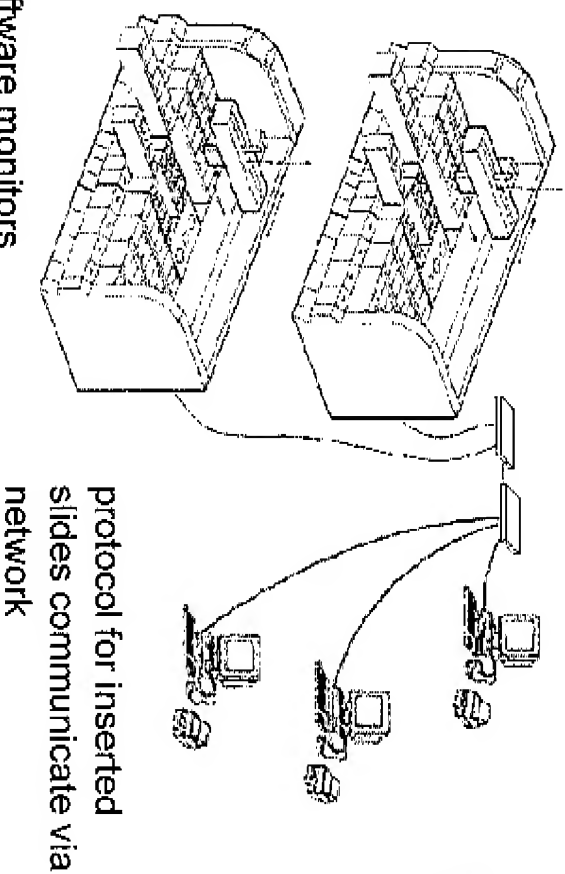
# Continuous Workflow Stainer Network vs. Batch Mode Stainers Cited



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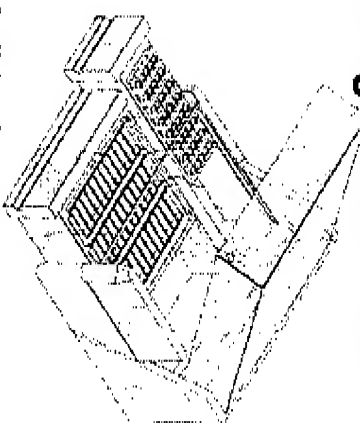
## Applicant – continuous staining network

Can insert/remove slide racks & reagent racks while robot continues processing other slides in other drawers using reagents from other racks



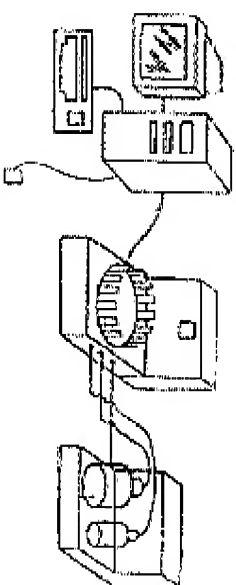
software monitors  
insert/remove while  
continuing to process

## Tseung – batch staining



- Insertion of slides/reagents necessarily interrupts robotic processing of other slides since
- all reagents are in the same reagent drawer which gets pulled out and
  - slides positioned on several racks but in the same slide drawer which gets pulled out

## Lemme – batch staining



- Insertion of slides/reagents necessarily interrupts robotic processing of other slides since
- all reagents are on the same reagent carousel and
  - all slides are on the same slide carousel



# US 6998270 Tseung Reference

## Tseung apparatus discloses:

- a robotic delivery system (22)
- 3 slide racks (20) in a slide drawer (70);
- a reagent rack (67) in a reagent drawer (68);
- a lid (16) that contributes to a controlled environment within processing space (18)

While either the slide drawer (70) or the reagent drawer (68) are pulled out in order to insert or remove slides or reagents, the processing of robotic delivery system (22) cannot continue processing because the other reagents and other slides will not be in the proper positions for the robot to continue accessing them

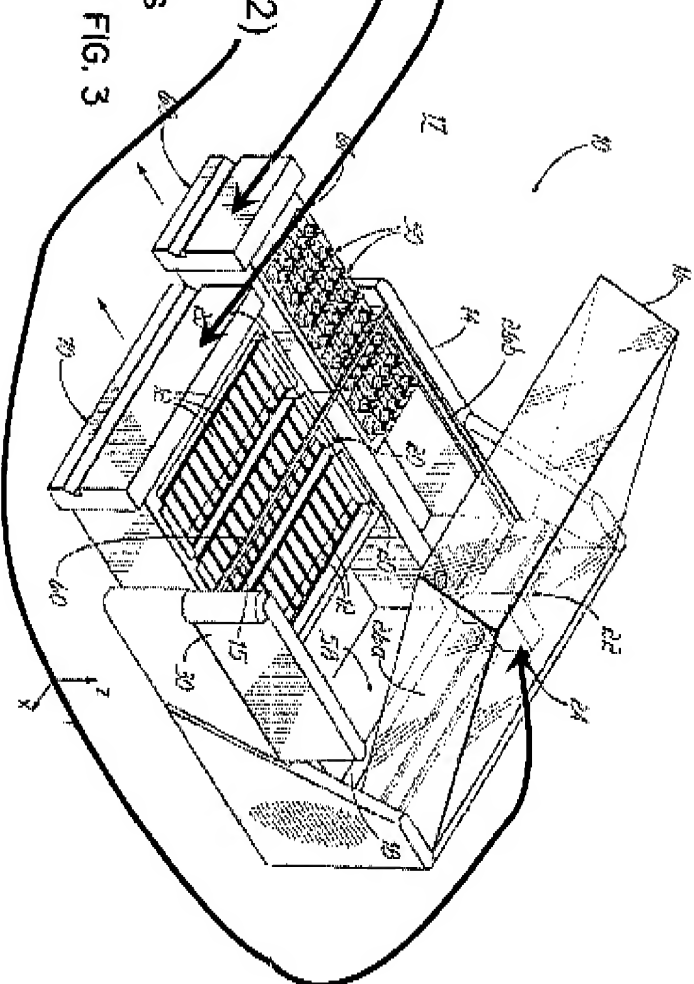


FIG. 3



## US 6998270 Tseung Reference



Tseung at col 6 lines 4-7 discloses that the drawers 68 and 70 facilitate the exchange of slides while limiting the impact of the exchange on the controlled environment within processing space 18, which Examiner asserts implies that the processing is not interrupted.

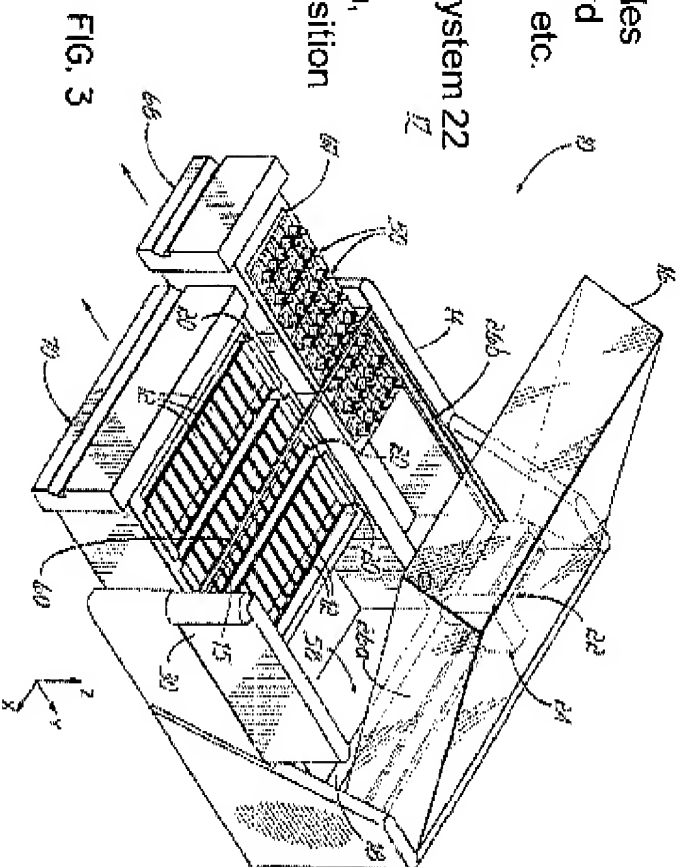
However, the same paragraph clarifies that "stat" tissue specimens may be add while limiting impact on the controlled environment. (col 6 lines 7-10). Specifically the "lid 16 is maintained in a closed condition including instances in which the drawers are withdrawn" (col 6 lines 11-14)

This may limit the impact of the exchange of slides *on the controlled environment*, i.e. keeping the lid closed may help limit changes in temp, humidity, etc.

But Tseung does not allow the robotic delivery system 22 to continuously process samples, because when the drawers 68, 70 are withdrawn, the reagents and slides are not in the correct position to be accessed continuously by the robot.

Therefore the Tseung apparatus is necessarily interrupted to insert or remove slides.

Addition of "stat" slides further demonstrates that the Tseung system interrupts processing of ongoing slides to all the "stat" slides to begin processing (See definition of stat in connection with lab instruments on next slide)



# Tseung addition of "stat" slides by definition implies interrupted processing, NOT continuous uninterrupted processing



Expert Rev. Neurother. 8(6), 865-868 (2008)



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**"Clinical judgment is always necessary, and ... is superior to any test or technological advance."**

Stat testing is unquestionably inherent to medicine, and the issue of stat EEG is a thorny one for every EEG laboratory. Most EEG laboratories acknowledge this as a problem, but there is no consensus on how to address it. How to deal with it is typically the responsibility of the laboratory director, who tries to reconcile the duty and obligation to provide a necessary service on the one hand, and the necessity of avoiding abuse that would make the laboratory unable to function on the other hand. Recognizing the problem, most centers have developed some sort of guidelines to avoid abuse.

The issue of stat testing and turnaround time (TAT) is frequently discussed in the laboratory medicine literature (1-5), but there is no such information on EEG. There is certainly abundant literature that discusses indications and usefulness of EEG in various clinical settings, but there is little literature, much less any guidelines, that helps delineate appropriate uses

performed stat, and can be downgraded to as soon as possible (ASAP) or even routine.

## Definition of stat

Whether it is for a test, procedure or a consultation, 'stat' (from the latin word 'statim', meaning immediately) typically means that it is a medical emergency (i.e., the result is of critical importance, and will affect immediate management and eventual outcome). Stat is the highest degree of medical priority, and in order to be executed, the staff or physician involved should and must interrupt what he/she is doing in order to perform the procedure immediately. Thus, stat procedures are of such medical importance that they should be performed immediately regardless of the time and day. This of course includes after hours (nights and weekends), and if requested during regular hours, they will be done immediately, bumping other procedures that are not stat.

# US 2002/0110494 Lemme Reference



Lemme

**Lemme apparatus discloses:**

**host device(32);  
one or more staining modules (150) with  
a removable reagent tray (10);  
a non-removable slide carousel (24);**

The apparatus of Lemme has

- a single reagent carousel (10) that rotates all reagents to a determined dispense position. (para 101)
- a single slide carousel (24) that robotically rotates the slides to the various processing stations (para 103)

Adding or removing a slide or reagent

interrupts the processing of other slides because there is only one reagent carousel and one slide carousel which cannot continue rotating and processing while a new slide or new reagent is being added

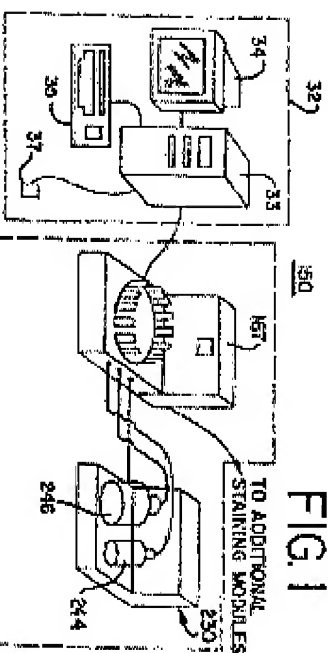


FIG. 1

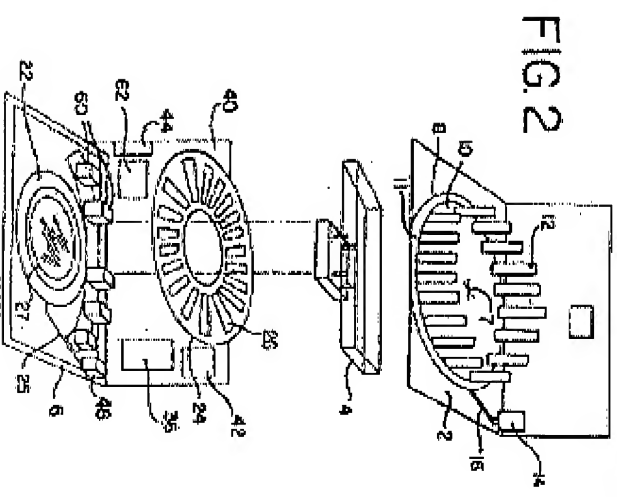


FIG. 2